

MONTANA LEGISLATIVE HISTORY

Chapter 229 19 55

Bill H _____ S 104 Original bill & history C

H. Committee on Township and Counties

Hearing Date(s) Feb 11 ☒ C

Feb 22 ☒ C

Feb 24 ☒ C

_____ ☐ C

Date Out Feb 24 ☒ C

S. Committee on County Affairs

Hearing Date(s) Jan 29 ☒ C

_____ ☐ C

_____ ☐ C

_____ ☐ C

Jan 29 ☒ C

Did this bill originate in an interim committee? ☐ Yes ☐ No

Committee _____

Report _____

SENATE COMMITTEE ON COUNTY AFFAIRS

A meeting of the Senate Committee on County Affairs was held in Room 401 of the state capitol building, Helena, Montana, at recessed adjournment of the Senate at 12 M, January 29, 1955.

Chairman Brenner called the meeting to order after roll-call was taken. The following members were present: Brenner, Chairman, Wenz, V-Chairman, Hatch, Robins, Hofland, and Goodwin were present as well as Sen. Keller. Senators Working, McKenna and McGowan were absent. Brenner stated a quorum was present for voting purposes.

Sen. Brenner stated that the original bill Senate No. 58 was in committee and hurriedly read the title. He stated Sen. Hatch was most familiar with the bill. Sen. Hatch stated the bill at present was the same this year as last, and authorized the creation of mosquito control districts. That these districts could not be created without a prescribed percentage of the resident free-holders voting for a prescribed area being set aside for the purpose; in fact in some instances the area had to be covered by an abstractor's title within the district created

Mr. Dougherty and Atty. Bill Brown were also present at the meeting again and rediscussed the provisions of Senate Bill No. 12. After considerable reconsideration in discussion of this bill a motion came up for voting. Senator Goodwin thereupon made a motion to amend Senate Bill No. 12, "An Act to amend Section 16-2618, Revised Codes of Montana, 1947," by striking in line 30, page one of the original bill, the words "one year" and inserting in lieu thereof the words "nine months", seconded by Wenz, and as amended "Do Pass." Motion carried.

Senate Bill No. 54, "An Act to amend Section 16-912, Revised Codes of Montana, 1947, as amended by Chapter 100 of the Thirty-second Legislative Assembly of the State of Montana, 1951, relating to Compensation and Mileage of Members of Boards of County Commissioners," was brought up for discussion. Most of the members felt the county commissioners should be allowed an additional per-diem mileage for attending prescribed monthly or daily county meetings. Upon motion of Sen. Wenz that Senate Bill No. 54, "Do Pass", seconded by Robins, the motion carried.

Thereupon Senate Bill No. 104 came up for discussion. Upon motion of Sen. Hofland that said Senate Bill No. 104 "Do Pass", seconded by Robins, the motion carried.

Senator Brenner stated that Senate Bill No. 117 had been handed to him for action but he felt this bill should be placed before another committee of the senate for action.

FEBRUARY 11, 1955

TOWNSHIPS AND COUNTIES

A meeting of the Townships and Counties committee was called to order by Chairman Beck on February 10, 1955 with 13 members present.

Subcommittee not ready to report on HB 405, 406, 407, 408, 386 and 389.

Senate Bill 158 was the first order of business. Goan moved this bill be concurred in. Motion seconded by Hooks and carried.

House Bill 221. Representative Haines appeared before the committee and explained the purpose of this bill. After discussing this in committee, McInnis moved it do pass. Parker seconded the motion. Motion carried.

Senate Bill 104 was then discussed. Parker moved it be concurred in. Holtz seconded the motion. Motion carried.

Senate Bill 54. Goan moved it be concurred in. Parker seconded the motion. Motion carried.

There being no further business, it was moved and seconded that the meeting adjourn. Motion carried.

Beck

BECK, CHAIRMAN

February 22, 1955

TOWNSHIPS AND COUNTIES

A meeting of the Committee on Townships and Counties was called to order by Chairman Beck with 12 members present. Reading of the minutes was dispensed with.

Senate Bill 104. After discussing this bill, Phillips moved this bill be placed in a subcommittee. Hooks seconded the motion. Motion carried. Chairman appointed Hooks, Felt and Phillips.

Senate Bill 79. Parker made a motion this bill be concurred in. Felt seconded the motion. After further discussion, Goan made a substitute motion that this bill be placed in a subcommittee. Hooks seconded the motion. Motion carried. Chairman appointed Holtz, Haines and Parker.

Senate Bill 205. W. A. Brown, Frank Dougherty and Frank Gorsch appeared before the committee against this bill. After discussing this bill, Haines moved this bill be placed in a subcommittee. Goan seconded the motion. Motion carried. Chairman appointed McInnis, Nichols, and Walton.

Senate Bill 215. Mr. Brown read the amendments to the bill. Art Neil and George O'Connor appeared before the committee against this bill. After discussing this bill, Goan moved it be not concurred in. Phillips seconded the motion. Motion carried.

Senate Bill 58. After discussing this bill, Goan moved it be passed for the day. Holtz seconded the motion. Motion carried.

Senate Bill 117. Broeder moved it be passed for the day. Motion was seconded by Felt. Motion carried.

Being no further business it was moved and seconded the meeting adjourn. Motion carried.


Beck, Chairman

February 24, 1955

TOWNSHIPS AND COUNTIES

A meeting of the Townships and Counties committee was called to order by Chairman Beck on February 24, 1955 with 13 members present.

Senate Bill 104 was the first order of business. Hooks gave the subcommittee report that this bill be concurred in as amended, amendments attached. Hooks so moved. Phillips seconded the motion. Motion carried.

Senate Bill 79. Holtz gave the subcommittee report, recommending this bill be concurred in, he so moved. Parker seconded the motion. Motion carried.

Senate Bill 58. Senator Hatch appeared before the committee and explained the purpose of this bill. Hooks moved this bill be not concurred in. Phillips seconded the motion. After discussing this bill and motion, the motion carried.

Senate Bill 117. Mr. W. J. Fause, State Administrator of Public Welfare appeared before the committee and explained the purpose of this bill. After discussing this bill, Broeder moved that this bill be concurred in. Felt seconded the motion. Motion carried.

Senate Bill 205. McInnis gave the subcommittee report recommending this bill do not be concurred in, and so moved. Walton seconded the motion. After discussing this bill, Goan made a substitute motion that this bill be concurred in. Felt seconded the motion. Motion lost. Original motion the bill be not concurred in was then voted on. Motion carried.

Being no further business the meeting adjourned.


Beck, Chairman

Admission of
outside pupils.

"20. To allow pupils residing in other districts to attend school in the district of which they have charge, if in their judgment there is sufficient room.

Display flag.

"21. To procure, by purchase or donation, and to cause to be displayed daily in suitable weather, an American flag, with accompanying necessary fixtures, for each and every schoolhouse in their respective districts: Said flags shall be of dimensions not less than four (4) by six (6) feet, and shall be made from durable material. The school trustees are hereby authorized and empowered to use such portion of the school funds as remain in their hands, and which is not otherwise appropriated, for the purchase and erection of fixtures.

"22. To close school at their discretion during the annual session of the state teachers' association, and to allow teachers to attend the same without loss of salary.

School lunches.

"23. To provide foods, cooks, janitor services and equipment for school lunches when deemed advisable by the board. Governed by its own judgment, the board may impose a money charge, produce or services from the pupils desiring to and participating in the program of school lunches.

Accounting of
extracurricular
funds.

"24. To provide for a system of bookkeeping and annual auditing of extracurricular funds; such bookkeeping system to be recommended by the state bank examiner and such audit to be made by a qualified accountant or by the state bank examiner if so requested. If the audit is made by the state bank examiner, then, there shall upon completion of the audit, be paid a fee of thirty dollars (\$30.00) per day per man, together with actual transportation expenses, into the state treasury, and the state treasurer shall accredit such payment to the special examiner's fund. A certified copy of such audit shall be filed with the county superintendent of schools, and notice of such filing and the availability of the audit to public inspection, shall be published by said superintendent in the next publication of a newspaper published within the district, or, in case there be no paper published within the district, in a newspaper published within the county, if any, and if none within the county then in the nearest newspaper published in an adjoining county and payment of such publication and

Publication of
notice of audit.

audit shall be made from the extracurricular funds or from school district funds, as the board of trustees may decide."

Section 2. On or before the first (1st) day of January, 1954, and annually thereafter, the board of trustees of each school district coming under the provisions of this act, shall decide whether the aforesaid audit shall be made by the state examiner or by a qualified accountant to be employed by the district, and shall cause notice of its decision to be given to the state examiner.

Examiner or
qualified
accountant
to audit
annually.

Section 3. All acts and parts of acts in conflict herewith are hereby repealed.

Repealing
clause.

Section 4. This act shall be in full force and effect from and after its passage and approval.

Effective
immediately.

Approved March 5, 1955.

CHAPTER 229

An Act to Amend Section 7 of Chapter 154 of the Session Laws of the Thirty-third Legislative Assembly of 1953, Defining the Word "District" to Mean Consisting of Forty (40) Acres.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. That section 7 of chapter 154 of the session laws of the thirty-third legislative assembly of the State of Montana of 1953, be, and the same is hereby amended to read as follows:

Amending
clause.

"Section 7. For the purposes of this act the word 'district' shall mean any area that consists of not less than forty (40) acres."

"District"
defined.

Approved March 5, 1955.

CHAPTER 230

An Act to Amend Section 28-402 of the Revised Codes of Montana, 1947, as Amended by Chapter 83, Laws of 1949, and as Amended by Chapter 16, 1953, Relating to the Disposal of Slashings.